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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,291	04/01/2004	Shailendra Mathur	A2003015(2)	8582
26643 7590 04/30/2008 PETER J. GORDON, PATENT COUNSEL AVID TECHNOLOGY, INC. ONE PARK WEST TEWKSBURY, MA 01876				
EXAMINER SALOMON, PHENUEL S				
ART UNIT 2178		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/816,291

Applicant(s)

MATHUR, SHAILENDRA

Examiner

PHENUEL S. SALOMON

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/11/08.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/55/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the Request for continued examination filed on, April 11, 2008.

Claims 1-5 are pending

2. The objection to the specification has been withdrawn pursuant to applicant arguments.

3. The rejection of claims 1-5 under 35 U.S.C. 103 (a) as being anticipated by Rogers et al. (US 6,133,914) in view of Samra (US2003/0085932 A1) has been withdrawn pursuant to applicant's amendment.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Regarding claims 1-5, the graphical user interface as claimed appears to be directed to non-functional descriptive material since the claims are lacking any hardware to enable functionality of the GUI to be realized. Therefore, the claims are not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Samra (US2003/0085932 A1) in view of Georgiev (US 6,377,712 B1).

Claim 1: Samra discloses a graphical user interface comprising:

an editing window (when creating a movie, sequences of images are traditionally shot with a camera, developed and edited to create a finished product) (p.1, para. [0012]);

means for enabling a user to interactively edit in the editing window one or more transformation hierarchies of, wherein a transformation provides transformation operator data as an output (fig. 2a depicts an example compositing tree comprised of effects and images. A compositing tree is a directed acyclic graph that results when a user of a compositing program selects images and to create a final resulting image. When using compositing programs, a user manually designates images, sequences of images, and effects that will be combined to form a resulting sequence of images. The compositing tree reflects the selections made by the user and may be depicted in various ways.) (p.2, para. [0019]);

means for enabling a user to interactively edit in the editing window one or more effects trees, wherein at least one effect operator in the effect tree has one or more inputs for receiving transformation data and has a local transformation specification that is combined with the received transformation data (compositing tree with effects trees or operators for receiving multiple inputs where those inputs are

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transformed (composite output data) to create composited sequence of images where output of transformed data is inputted into an effect operator) (p.2, para [0020], [0021] and fig. 2); and

means for enabling a user to connect an output of a transformation operator to an input of an effect for receiving the transformation data (fig. 2 b), but Samra does not explicitly disclose including one or more geometrical transformations operators employing mathematical matrices

However, Georgiev discloses Kernels 110 represent geometric transforms that warp digital image 105 and produce different levels of smoothness, rigidity, or flexibility. Warping engine 125 applies the resultant mesh 120 to input digital image 105 in order to generate output digital image 107, thereby warping input image 105 to achieve unique artistic effects. (col.2, lines 55-61) and (col. 7, lines 1-6). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include geometrical transformations operators in Samra. One would have been motivated to do so in order to give user greater flexibility and greater control in editing transform hierarchies within effects tree.

Claim 2: Samra and Georgiev disclose the graphical user interface as in claim 1 above, Samra further discloses an effect operator also has an input for receiving image data and an output for providing the received image data processed according to the transformation data (see fig. 2).

Claim 3: Samra and Georgiev disclose the graphical user interface as in claim 1 above, Samra further discloses the received transformation data is combined with the local transformation specification of the effect operator as a pre-transform (p.2, para [0020], [0021] and fig. 2).

Claim 4: Samra and Georgiev disclose the graphical user interface as in claim 1 above, Samra further discloses the received transformation data is combined with the local transformation specification of the effect operator as a post-transform (p.2, para [0020], [0021] and fig. 2).

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Samra (US2003/0085932 A1) in view of Georgiev (US 6,377,712 B1) and in further view of Trinh et al. (US 6,924,821 B2).

Claim 5: Samra and Georgiev disclose the graphical user interface as in claim 1 above, wherein transforms operators in a transformation hierarchy and effects operators in an effect tree are both but do not explicitly disclose kinds of time-varying objects. However, Georgiev discloses a process tree that defines operations carried out based on timewarp (col. 7, lines 3-7) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include time varying in Samra. One would have been motivated to do so in order to synchronize the editing process.

Response to Arguments

8. Applicant's arguments filed on April 11, 2008 have been fully considered but they are not persuasive but rather moot in view of the new ground(s) of rejection.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
a. Martin (US 5,668,639) discloses method for video editing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phenuel S. Salomon whose telephone number is (571) 270-1699. The examiner can normally be reached on Mon-Fri 7:00 A.M. to 4:00 P.M. (Alternate Friday Off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272 4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PSS
/Phenuel S. Salomon/
4/22/2008

/Joshua D Campbell/
Primary Examiner, Art Unit 2178